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**Abstract Title:** Obesity and State Regulation of Bariatric Surgery

**Abstract:** Obesity is one of the largest and fastest growing epidemics in the United States. Thirty-one percent of American adults meet criteria for obesity diagnosis (BMI > 30.0 kg/m<sup>2</sup>), an increase of 36% over the past eight years. Bariatric surgery has proven an effective treatment for obesity; however, many private insurance companies do not cover the surgery. Given the high cost of treatment (\$30,000 on average), many patients cannot afford to pay for bariatric surgery out-of-pocket. The financial ramifications of the obesity epidemic are staggering – over \$96 billion is spent treating obesity and obesity-related health problems each year. A comprehensive literature review was performed to evaluate state obesity rates (as a percentage of population) and annual state spending to treat obesity. A review of state laws mandating and/or prohibiting bariatric surgery was also conducted. The advantages and disadvantages of state regulation were analyzed to determine the cost versus benefit of state-mandated coverage of bariatric surgery. The results of this analysis show that it is unclear whether implementing state laws requiring coverage of bariatric surgery in the morbidly obese will reduce overall state spending on obesity treatment. There are only four states with legislation requiring insurance coverage of bariatric surgery and the first of these regulations did not go into effect until 1999. Few studies have evaluated the long-term effectiveness of bariatric surgery and those that do have been unable to link bariatric surgery to decreased mortality. Further formalized research is required to properly assess the legal, economic, and health-related implications. This study was limited to a review of published data.